

EXPRESS MAIL LABEL NO. : EV 462290666 US

Amendment to the Drawings

Please add new figure 4, as shown on the attached proposed drawing figure.

REMARKS

Claims 1-100, 104-206, 210-314, and 318-503 remain in the application with claims 30, 35, 104-106, 142, 147, 210-212, 244, 249, 273, 318-428, and 462 withdrawn from consideration as non-elected claims. Claims 1, 107, 213, 321, and 429 have been amended. Claims 101-103, 207-209, 315-317, 504, and 505 have been canceled. New figure 4 (prior figure 13 in the provisional application) has been added to illustrate the claimed subject matter of claims 47, 159, and 261. No new matter has been added.

Priority

Applicant notes that priority is granted on a claim-by-claim basis such that the Examiner's pointing out of unsupported claimed subject matter is only relevant to those particular claims. All remaining claims have priority to the provisional application.

Drawing Objections

Applicant has presently proposed the re-incorporation of figure 13 from the provisional application into the specification and drawings new figure 4. Upon approval of the proposed corrections, formal drawings will be submitted. Since no specific matters were objected to in the Office Action, Applicant is unclear which claimed features are allegedly not illustrated.

Claim Rejections - 35 USC 101

Claims 1-29, 31-34, 36-103, 107-141, 143-146, 148-209, 213-243, 245-248, 250-272, and 274-317 were allegedly rejected for being directed to non-statutory subject matter. This rejection lacks any merit. Each of these claims involve at least one physical structure, a database, and produce a useful, concrete, and tangible result in the form of delivered personalized information specifically selected from the database.

Claim Rejections - 35 USC 112

Claims 47, 159, 261, 101-103, 207-209, 315-317, 504, and 505 were rejected as failing to comply with the enablement requirement. Claims 101-103, 207-209, 315-317, 504, and 505 have been canceled, so the issue with regard to these claims is moot. The rejection of claims 47, 159

and 261 lack merit. In regard to the creation of emails via facsimile, the examiner's attention is directed to new figure 4 and the associated text.

Claim Rejections - 35 USC 102

Claims 1-23, 25-29, 31-34, 36-44, 48-54, 56-61, 68-74, 76-88, 90-94, 96-97, 107-135, 137-141, 143-146, 148-156, 160-166, 168-173, 178-180, 182-194, 196-199, 201, 213-237, 239-243, 245-248, 250-258, 262-268, 270-272, 274-275, 282-288, 290-302, 304-308, 310-311, 429-446, 448-461, 463-476, and 483-497 were rejected as anticipated by Herz.

Applicant traverses all of the grounds of this rejection.

With regard to the claims depending on independent claim 1, claim 1 has presenting been amended to have the delivered collection of information include "at least one information item deemed most important by the publisher at the time of delivering the collection ..." As discussed in the specification, in order to expand the overall outlook of a user of an issue of personalized information and to keep him better informed of possible topical fields, each issue of the personalized information may, in addition to information materials fitting the adjusted user profile of the user and/or group of users, include the publisher's materials which were deemed most important at the time of generation of the issue. The collection of those, as well as any other, materials by the user will influence further adjustments to the user's user profile.

There are advantages in mixing highly personalized information with the information that is most important and/or interesting for everyone. This mixing allows users of the personalized information collection delivered to them to not miss important information that is not necessarily relevant with their usual interests. Therefore it significantly increases usefulness of personalized edition because it saves the user time which is usually spent on reading regular electronic/paper newspapers. It allows a user to get all information via one electronic edition instead of at least one highly personalized and other non-personalized edition (like electronic/paper newspapers or TV news). This limitation is not taught or fairly suggested in Herz.

With regard to the claims depending on independent claims 107, 213 and 429, the Herz patent discloses a "target profile interest summary" that is roughly comparable to the claimed "user profile" and "issue-delivery profile." However, regardless of the private or public nature of the "target profile interest summary" in Herz, Herz fails to teach or fairly suggest the adoption or

partial adoption of another users “target profile interest summary” in order to quickly establish a profile for a new user. Claims 107, 213 and 429 have been amended to include limitations to the establishment of a new user’s profile based at least in part on an existing user’s profile to clearly distinguish the claims from Herz.

As such, the present claims are patentable over Herz and Applicant respectfully requests reconsideration and withdrawal of this rejection.

Claim Rejections - 35 USC 103

Claims 24, 45-47, 55, 62-67, 75, 89, 95, 98-103, 136, 157-159, 167, 174-177, 181, 195, 200, 202-209, 238, 259-261, 269, 276-281, 289, 303, 309, 312-317, 447, 477-482, and 498-505 were rejected as obvious in view of Herz. Applicant traverses these grounds of rejection.

As submitted above for claims depending on claim 1, Herz fails to teach or fairly suggest having the delivered collection of information include “at least one information item deemed most important by the publisher at the time of delivering the collection ...”

As submitted above for the claims depending on claims 107, 213, and 429, the Herz patent discloses a “target profile interest summary” that is roughly comparable to the claimed “user profile” and “issue-delivery profile.” However, regardless of the private or public nature of the “target profile interest summary” in Herz, Herz fails to teach or fairly suggest the adoption or partial adoption of another users “target profile interest summary” in order to quickly establish a profile for a new user. As such, the present claims are patentable over Herz.

Furthermore, the Examiner take’s Official Notice with respect to numerous claims. Applicant traverses the Examiner’s repeated use of Official Notice for these claim limitations and respectfully requests the citation of prior art for each such Notice if the rejection is to be maintained.

Non-Elected Claims


As independent claims 1, 107, 213, and 429 are in condition for allowance, Applicant respectfully requests rejoinder of all of the withdrawn claims that depend thereon (i.e., claims 30, 35, 104-106, 142, 147, 210-212, 244, 249, 273, and 462) and are allowable for at least the same reasons. Furthermore, withdrawn claim 321 has been amended to include limitations of having

the delivered collection of information include "at least one information item deemed most important at the time of delivering the collection ..." that is similar to claim 1. Applicant respectfully submits that claim 321 and the withdrawn claim that depend therefrom are allowable for the same reasons as those submitted above for claim 1.

Conclusion

For the reasons cited above, Applicant respectfully submits that claims 1-100, 104-206, 210-314, and 318-503 are in condition for allowance and requests reconsideration and withdrawal of the rejections of record. If there remain any issues that may be disposed of via a telephonic interview, the Examiner is kindly invited to contact the undersigned at the local exchange given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Christopher B. Kilner". The signature is fluid and cursive, with the first name "Christopher" written in a larger, more prominent script than the last name "Kilner".

Christopher B. Kilner, Esq.

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